



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,968	01/30/2002	Wilhelm Fey	MSA 246	8957

7590 10/23/2002
Horst M Kasper
13 Forest Drive
Warren, NJ 07059

EXAMINER

STERRETT, JEFFREY L

ART UNIT	PAPER NUMBER
----------	--------------

2838

DATE MAILED: 10/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
--------------------	-------------	-----------------------	------------------

937,968

EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

9

DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☐ Responsive to communication(s) filed on _____

☐ This action is FINAL.

☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-14 is/are pending in the application.
Of the above, claim(s) _____ is/are withdrawn from consideration.
☐ Claim(s) _____ is/are allowed.
☐ Claim(s) _____ is/are rejected.
☒ Claim(s) 1-14 is/are objected to.
☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
☒ The drawing(s) filed on 1/30/02 is/are objected to by the Examiner.
☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
☐ The specification is objected to by the Examiner.
☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.
☐ received in Application No. (Series Code/Serial Number) _____
☒ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 8
☐ Interview Summary, PTO-413
☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
☐ Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

Art Unit: 2838

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119 (a)-(d). The certified copy has been filed in parent Application No. PCT/EP00/02889, filed on March 31, 2000.

None Received

2. The information disclosure statement filed January 30, 2002 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. Thus copies of the WIPO and German references should be submitted. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Figures 3-8

4. The drawings are objected to because in figures 1-5 box 15 is not shown or labeled as to its use or purpose. Additionally the lines leading to box 15 should be solid instead of dashed.

The drawings are objected to because in figures 1 and 2 fuse F1 is illustrated utilizing a symbol remarkably like the symbol utilized to illustrate resistors R1-R7. It is suggested that fuse F1 be illustrated with a symbol that resembles a single cycle of a sinusoidal waveform () and that resistors R1-R7 be illustrated with a symbol that resembles a triangular wave form ().

Art Unit: 2838

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, a reset device as recited by claim 12 must be shown or the feature canceled from the claim.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance. No new matter should be entered.

See Pencil Notes

6. Claims 1-14 are objected to as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-14 are vague and confusing because of excessive extraneous matter such as “, for example of a measurement value transmitter, ” in lines 2-3 of claim 1, “, for example a ground line, ” in lines 5-6 of claim 1, “, such as a Zener barrier” in line 7 of claim 1, “, which further protective circuit (20) is” in line 11 of claim 1, “in the further protective circuit (20) in lines 3-4 of claim 5, “parallel to the gate (G) and to the source (S) of the switching and/or regulating transistor (Q1)” in lines 4-5 of claim 7, and “, for example a key,” in lines 2-3 of claim 12. X

Art Unit: 2838

Claims 1-14 are vague and confusing because in lines 6-7 of claim 1 a "voltage and current limiting device" is set forth which could easily be confused with the "voltage limiting device" set forth in lines 8-9 of claim 1 and the "current limiting device" set forth in line 9 of claim 1. It is suggested that the "voltage limiting device" instead be set forth as something like the --voltage limiter means-- and that the "current limiting device" instead be set forth as something like the --current limiter means--.

Claims 1-14 are vague and confusing because in line 9 of claim 1 "referring" should be something like --referenced--.

Claims 1-14 are vague and confusing because in line 12 of claim 1 "in front" should be --upstream--.

Claims 1-14 are vague and confusing because throughout the claims improper alternative language is utilized. For example in line 14 of claim 1 (and throughout the rest of the claims) "a switching and/or regulating transistor" is recited (the language of line 3 of claim 5 is however preferred), in lines 29-31 of claim 1 "voltage detection, or a longitudinal resistor" is recited, in line 2 of claim 3 "a Zener diode or Diac diode" is recited, in lines 2-3 of claim 4 "the feedback resistor or the control and regulating circuit" is recited, in lines 2-3 of claim 6 "the reference voltage or, respectively, the feedback voltage" is recited, in line 2 of claim 10 "a control or regulating circuit" is recited, in lines 3-4 of claim 10 "the output voltage or, respectively, of the supply voltage" is recited, in lines 2-3 of claim 13 "an electronic relay or field effect transistor or a thyristor" is recited, and in lines 1-3 of claim 14 "a bipolar transistor or an electronic relay" is recited.

Art Unit: 2838

Claims 1-14 are vague and confusing because in line 23 of claim 1 "the voltage" lacks proper antecedent basis. ✓

Claims 1-14 are vague and confusing because in line 25 of claim 1 "between the outputs" should be --from the output--. ✓

Claims 1-14 are vague and confusing because lines 26-27 of claim 1 make little to no sense at all. ✓

Claims 3-14 are vague and confusing because throughout claims 3-14 Zener diodes are recited without any attempt to differentiate them. It is suggested that in each chain of dependency terminology something like --a first Zener diode--, --a second Zener diode--, etc. be utilized. ✓

Claims 4, 6-9, and 12 are vague and confusing because in lines 2-3 of claim 4 "the control and regulating circuit" lacks proper antecedent basis. ✓

Claims 6-9 and 12 are incorrect and improper since they are multiple dependent claims that depend from other multiple dependent claims. Claim 9 is additionally incorrect and improper since multiple dependent claims may only alternatively depend from other preceding claims (--according to claim 7 or 8-- is correct while "according to claim 7 and 8" or "according to claim 7 and/or 8" are incorrect). ✓

Claims 6-9 and 12 are vague and confusing because in lines 2 and 6 of claim 6 "the reference voltage", in lines 2-3 and 7 of claim 6 "the feedback voltage", and in line 6 of claim 6 "the line points 9 and 16" all lack proper antecedent basis. ✓

Art Unit: 2838

* It should be noted that upon allowance all reference characters in parenthesis in the claims must be deleted. Having said that in line 2 of claim 9 "D2 and/or D4" should either be put inside parenthesis or simply deleted early.

Appropriate correction of all of the above is required.

7. Claims 1-14 would be allowable if rewritten or amended to overcome the objections set forth above in this Office action. It should be noted that this statement is predicated on the best understanding of the claimed invention as recited by the objected claims. Upon clarifying the claim language by the required correcting amendments, the allowability of the claims may have to be reevaluated if a different invention emerges from the corrected claims that differs from that apparently set forth by the current claims.

8. This application is in condition for allowance except for the above formal matters. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Murari et al (US 5,036,269), Rovner (5,179,488), Lei (US 6,169,391), and Miller (US

Art Unit: 2838

6,300,748) are cited to show electrical devices old and known in the art at the time of the invention.

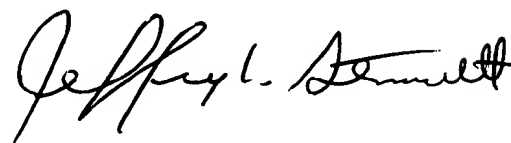
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Sterrett whose telephone number is (703) 308-1632. The examiner can normally be reached on Monday through Thursday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry, can be reached on (703) 308-1680. The fax phone number for this Art Unit is (703) 305-7723 and the fax phone number for this Group is (703) 305-3431 or (703) 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

jls

October 17, 2002



Jeffrey L. Sterrett

Primary Examiner

Art Unit 2838